

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TREVOR J. TRAMMELL,

Petitioner, : Case No. 3:09-cr-9(1)

- vs -

: District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

UNITED STATES OF AMERICA, :

Respondent. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #89), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on May 2, 2011, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Petitioner's Motion to Vacate under 28 U.S.C. § 2255 is DISMISSED with prejudice. Petitioner is also DENIED leave to appeal *in forma pauperis* and any request for certificate of appealability. Furthermore, Petitioner's Motion for Leave to Appeal *in forma pauperis* (Doc. #87) is DENIED as moot.

May 10, 2011

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge

